

MINUTES OF MARION CITY COUNCIL REGULAR MEETING

CITY COUNCIL CHAMBERS

OCTOBER 8, 2014

6:00 P.M.

A regular meeting was held by City Council on October 8, 2013 at 6:30 p.m. over which Mayor Bobby L. Davis presided.

Council members Michael Baker, Ronald Atkinson, Ralph Atkinson, Odessa Gregg, Emerson Hunt and Joseph Frazier were present.

Also present were City Administrator Alan Ammons, City Treasurer Patricia Brown, City Clerk Pam Jones, and Attorney Robert Lee.

Mayor Davis called the meeting to order and Councilwoman Gregg gave the opening prayer. Mr. Ammons led the Pledge of Allegiance. Mayor Davis welcomed citizens, guests and the press. (Hometown TV and Marion Star/Mullins Enterprise)

Councilman Michael Baker made a motion to accept the minutes from the regular meeting on September 10, 2013, seconded by Mayor Pro-tem Ronald Atkinson; motion carried.

Mr. Michael Thomas was not present to receive the Mayor's Monthly Beautification Award.

Ms. Renee Shelley was not present to give her presentation on the Alzheimer's Support Group.

Councilman Michael Baker made a motion to allow the Marion County Library use of C. D. Joyner Auditorium for their summer program and they would work out scheduling with the Recreation Department (who handles the scheduling); seconded by Councilman Joseph Frazier. The motion carried.

Mayor Pro-tem Ronald Atkinson made a motion to join the County in a City/County Cleanup Day on November 15th, from 8:00 to 12:00, seconded by Councilman Joseph Frazier. Councilman Ralph Atkinson recommended that this be put in the local papers as usual. Motion carried.

Councilman Ralph Atkinson made a motion to accept 1st Reading on Ordinance 13-08 - An Ordinance to Sell Real Property to GSWSA, based on information presented, property located on Jones Avenue and Zion Road, seconded by Councilman Michael Baker; motion carried.

Councilman Ralph Atkinson made a motion to set the date and time for the Public Hearing to Sell Real Property to GSWSA at 6:25 p.m. before the next Council meeting on November 12, 2013, seconded by Councilman Michael Baker; motion carried.

ADMINISTRATOR'S REPORT

Mr. Ammons reported that a portion of the stormwater pipe at Withlacoochee Park, approximately 10 feet from the walking tracking has collapsed. The estimate for repairs is \$3,500. With Council's permission, in January we will submit to CTC for funds to repair the whole line. Councilman Ralph Atkinson made a motion to approve the emergency repairs to the collapsed portion of the stormwater pipe at Withlacoochee Park, subject to making adjustments within the budget. Mr. Ammons requested that after the first of the year, the Treasurer be allowed to make the necessary adjustments to the budget. Councilman Michael Baker seconded the motion; motion carried.

Mr. Ammons reported that work on Grice's Pool is moving along and is approximately 3 weeks away from DHEC inspection and approval.

Regarding the community garden leases, Mr. Ammons stated that the lease with Mayor Davis has been taken care of and we are awaiting signatures on the other lease. Councilman Joseph Frazier made a motion to name Councilman Michael Baker as chairman of the community gardens, seconded by Mayor Pro-tem Ronald Atkinson. Motion carried with Mayor Davis abstaining.

City Clerk Pam Jones was named *September Employee of the Month* and presented with a gift certificate.

CITY ATTORNEY'S LEGAL UPDATE

Attorney Robert Lee stated that he has prepared his files to transfer over to the new City Attorney so the transition would go smoothly.

DEPARTMENTAL REPORTS

Mayor Davis commented that all departmental reports are included in Council's packets. Captain Cindy Barr asked that the community keep working with the Police Department. Mr. Al Blake reminded about HMRA's Lunch and Learn scheduled for October 24th, in which Mayor Davis would give his "State of the City" address. Mr. William Campbell reminded that the Senior Council would meet on October 24th at 3:00 p.m. The Senior Council would like an update on PDRTA and also on any current investigations. Mr. Hezekiah Norman (Housing Authority) commented that everything is going well. Mrs. Bettie Jones (Historic Commission) had nothing to report at this time. She then commented that there were numerous veterans' assistance programs available and encouraged all veterans to be at the Wal-Mart parking lot on Wednesday to participate.

DISTRICTS AND CITY UPDATES FROM COUNCIL AND MAYOR

Councilman Michael Baker had no comment at this time.

Council Joseph Frazier recognized District 4 for doing a dynamic job of patrolling their areas. He stated that there are no speed limit signs on McEachern Heights, from Dunlop Street to Canal Street, and asked that Mr. Ammons check with the Highway Department to see if three signs could be obtained. He suggested that other areas form a safety council for their own neighborhoods.

Mayor Pro-tem Ronald Atkinson thanked Attorney Robert Lee for the work he has done for the City.

Councilman Ralph Atkinson thanked Attorney Lee for his 4 years of service to the City and also expressed his personal thanks for Mr. Lee's service and appreciates all that he has done.

Councilwoman Odessa Gregg thanked Mr. Ammons for an excellent job in working with her to get street lights and potholes repaired in District 5.

Councilman Emerson Hunt thanked Attorney Lee for his years of service to the City. He stated that he, personally, appreciated Mr. Lee's time and dedication to the community.

Mayor Bobby L. Davis thanked Mr. Lee for his 4 years of service to the City. He also thanked the employees for their hard work and dedication and that there would be a cookout for the employees on October 11th at Pop Dorsey Park. Mayor Davis thanked the employees who were involved in organizing the cookout and time of fellowship. Youth Day will be held at C.D. Joyner Auditorium on October 19th. The "State of the City" address will be held at the Opera House on October 24th. Our 2nd Town Hall meeting will be held at the Opera House on October 28th and all Council members are invited to attend. Citizens are encouraged to come and ask questions and share their concerns. In the interest of all of our municipalities working together, Mayor Davis has invited all Mayors in Marion County to attend a round-table discussion on HometownTV on October 9th. Also invited to share information on how the County can work together are Economic Director Dr. Julie Norman, County Council Chairperson Elista Smith and County Administrator Tim Harper. We are now testing surveillance cameras and areas where they could be placed along Main Street to help curtail crime. Mayor Davis asked that citizens go by and check out the progress of the pool at Grice's. There are areas under some sidewalks that are caving in and as soon as the City can get funds, we are going to repair them. Mayor Davis urged citizens to help the Police Department by reporting crimes and that there were ways to keep those names anonymous. He commended the Police Department on the number of arrests that are being made and asked Captain Barr to pass that along to the rest of the department. Councilman Joseph Frazier thanked Mr. Ammons for having the dilapidated house on Reaves and Smith Street torn down, making that area look better. Mayor Davis invited everyone to attend a ceremony for the Veterans in the Marion area. This will be held Friday, November 8th at 4:30 p.m. at the Veterans Memorial Triangle, where veterans will receive a certificate of appreciation from the state and a Marion County delegation member will speak at the event. They will also receive a gift bag from Rev. Larry Williams, who will also provide music. Mayor Davis requested that anyone who knew the name of any of our local veterans call Ms. Pam Jones at City Hall with that information.

EXECUTIVE SESSION

Councilman Michael Baker made a motion to enter Executive Session to discuss (1) Personnel Matter – City Attorney, (2) Contractual Matter – Auditing Firm, (3) Personnel Matter – Municipal Court, (4) Legal Advice – Pending Lawsuit, (5) Personnel Matter – City Hall Staff Safety. Seconded by Councilman Joseph Frazier; motion carried.

Upon returning from Executive Session, Mayor Davis stated that no action was taken. Councilman Joseph Frazier made a motion to return to open session, seconded by Councilman Michael Baker; motion carried.

Regarding the City Attorney position, Councilman Emerson Hunt made a motion to hire the Honorable John Waller, retired Supreme Court Associate Justice, for the position, seconded by Councilman Ralph Atkinson. Motion failed by a 3-4 vote, with Council members Emerson Hunt, Ralph Atkinson and Ronald Atkinson voting *yes* and Council members Michael Baker, Odessa Gregg, Joseph Frazier and Mayor Bobby L. Davis voting *no*. Councilman Michael Baker then made a motion to hire Boykin & Davis, being the only ones with prior municipal government experience, as the City Attorney, seconded by Councilman Joseph Frazier. Councilman Ralph Atkinson commented that an Associate Justice of the South Carolina Supreme Court who has all the experience of one of the highest ranking law officials in the state certainly could handle the small amount of cases we have in the City of Marion. Mayor Pro-tem Ronald Atkinson concurred with Councilman Ralph Atkinson. Councilman Hunt commented that we have competent and qualified people in Marion and they should be given more consideration than those not in the area. The motion carried 4-3, with Mayor Bobby L. Davis, Council members Michael Baker, Odessa Gregg and Joseph Frazier voting *yes*; Council members Ronald Atkinson, Ralph Atkinson and Emerson Hunt voting *no*.

Councilman Ralph Atkinson made a motion to dispense with the Auditing Firm Proposal because there is not a scope of work to present to the auditing firm, seconded by Councilman Emerson Hunt. Motion failed 3-4 with Council members Ralph Atkinson, Ronald Atkinson and Emerson Hunt voting *yes* and Mayor Bobby L. Davis and Council members Michael Baker, Odessa Gregg and Joseph Frazier voting *no*. Councilwoman Odessa Gregg then made a motion to give the Mayor the authority to

negotiate with the Hobbs Group for fees to be charged for an audit, seconded by Councilman Joseph Frazier. Councilman Hunt inquired as to what the audit will encompass and how much it will cost the taxpayer. Mayor Davis responded this was not an audit of the auditors and is not a full audit. Councilman Ralph Atkinson commented that he would like to support Mayor Davis, but without a scope of work in writing, does not know what we're asking the auditing firm to do. Mayor Davis stated that the motion was to negotiate and bring the negotiation back to Council so they would be informed. Councilman Baker commented that as a new mayor coming in, Mayor Davis may have financial concerns in various areas that he needs to know about, as well as Council needing to know and once Mayor Davis has negotiated with the firm and brings back the scope of the audit and the cost, then Council will vote. Councilman Ralph Atkinson asked that the scope of work for the auditors be clarified. Motion carries 4-3 with Mayor Bobby L. Davis, Council members Michael Baker, Odessa Gregg and Joseph Frazier voting **yes**; Council members Ralph Atkinson, Ronald Atkinson and Emerson Hunt voting **no**.

Councilman Michael Baker made a motion to offer the same severance package as before, based on years of service, to former employee Chief Willie Smith, seconded by Councilman Joseph Frazier. Motion carried 4-2, Mayor Bobby L. Davis, Council members Michael Baker, Odessa Gregg and Joseph Frazier voting **yes**; Council members Ralph Atkinson and Ronald Atkinson voting **no**; Councilman Emerson Hunt abstained from the vote.

With no further business to discuss, Councilman Michael Baker made a motion to adjourn, seconded by Councilman Joseph Frazier; motion carried.

Mayor Bobby L. Davis

City Clerk Pam Jones

Taped October 8, 2013

